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OREGON OPERATIONS OFFICE  
REGION 10



**COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION**

729 NE Oregon, Suite 200, Portland, Oregon 97232

Telephone 503 238 0667

Fax 503 235 4228

August 13, 2003

Mr. L. John Iani  
Regional Administrator  
Environmental Protection Agency  
Region 10  
1200 Sixth Ave., RA-140  
Seattle, WA 98101

Dear Mr. Iani:

I am writing to seek your help in improving the coordination and implementation of efforts to restore tribal trust resources. We need your assistance to be able to participate in a number of important processes that will affect tribal trust responsibilities, the Clean Water Act, the Endangered Species Act, the Northwest Power Act, and other related activities.

As you know, tribes are actively participating in the process to develop TMDLs for temperature and dissolved gas in the Columbia and Snake Rivers. These efforts are critical to the restoration of treaty fishery resources. At the same time, we are working in the *U.S. vs. Oregon* process to develop the next Columbia River Fish Management Plan. We are also working on developing subbasin plans in coordination with the Northwest Power and Conservation Council. Water quality is a key issue in these efforts. It will be important to coordinate all of these fish management plans with recovery planning under the Endangered Species Act, water quality plans under the Clean Water Act, and other related activities.

These planning efforts will identify the work that needs to be done to improve water quality and restore fish and wildlife. It is critically important that these plans be coordinated with the funding decisions of BPA and other Federal agencies. We need to provide adequate funding for the near term restoration activities. We also need to ensure that BPA does not foreclose future Clean Water Act and fish and wildlife actions in developing the rate case that sets funding levels for Fiscal Years 2007 through 2011. It will be important for the tribes to play an active role in these important decisions.

The Clean Water Act, fish and wildlife planning, and budget processes represent a tremendous opportunity to improve the coordination and implementation of efforts to improve water quality and restore tribal trust resources. These efforts will require a significant investment of staff and policy maker time by the tribes. It will also require additional expertise to help us work through these issues. We are requesting funding from your agency to assist us. I have attached a proposal, including a summary of the specific tasks that we want to pursue. We need funding as soon as possible to begin this important work.

Please contact me if you need additional information or have questions.

Sincerely,

A handwritten signature in cursive script, reading "Olney Patt, Jr.", with a horizontal line extending from the end of the signature.

Olney Patt, Jr.  
Executive Director

cc: Mary Lou Soscia

# Proposal to Assist Tribes in Fish and Wildlife Funding and Implementation

## Introduction

Current fish and wildlife decisions schedules are not coordinated with the next BPA rate case and other funding processes. This proposal describes the tasks needed to participate in a process where federal, state, and tribal governments would work to analyze ways to coordinate the various processes to assure adequate funding for the U.S. vs. Oregon process, the Endangered Species Act, the Northwest Power Act, other relevant federal laws, and tribal trust responsibilities.

## Tasks

- Analyze the scope and schedule of the various fish and wildlife and budget processes and identify ways to improve coordination.
- Provide support for meaningful tribal involvement and coordination.
- Assist tribes to develop draft principles and scope of an agreement.
- Develop an assessment of the successes and problems associated with the 1996-2001 MOA and issues that should be addressed in a new MOA. These assessments will be integrated into an issue paper that will be circulated for comment.
- Assist tribes to negotiate on principles and scope of agreement.
- Provide support for tribes as federal, state, and tribal parties develop detailed agreement based on principles. Provide budget and economic analysis.
- Assist in public involvement activities, including briefings and hearings for the public prior to finalizing an agreement.

## Budget

Consulting services:	\$150,000
Travel	
Consultants	\$ 20,000
Tribes	<u>\$ 30,000</u>
CRITFC Administration	<u>\$ 50,000</u>
Total	\$250,000

# Proposal to Assist Tribes in Clean Water Act and Related Funding and Implementation

## Introduction

EPA is developing water quality standards and programs for the Columbia and Snake Rivers. These programs are essential to the restoration of treaty fishery resources. The schedule for these EPA efforts and current fish and wildlife decision processes do not appear to be coordinated with the next BPA rate case and other funding processes. This proposal describes the tasks needed for tribes to participate in a process where federal, state, and tribal governments would work to analyze ways to coordinate the various processes to assure adequate funding for the Clean Water Act, U.S. vs. Oregon process, the Endangered Species Act, the Northwest Power Act, other relevant federal laws, and tribal trust responsibilities.

## Tasks

- Analyze the scope and schedule of the various Clean Water Act, fish and wildlife, and budget processes and identify ways to improve coordination.
- Provide support for meaningful tribal involvement and coordination.
- Assist tribes to develop draft principles and scope of a funding agreement.
- Assist tribes to negotiate on principles and scope of agreement.
- Provide support for tribes as federal, state, and tribal parties develop detailed implementation and funding agreements based on principles. Provide budget and economic analysis.
- Assist in public involvement activities, including briefings and hearings for the public prior to finalizing an agreement.

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